

REMARKS

The specification claims and drawings have been amended without adding new matter in order to correct minor informalities and to address other issues raised by the Examiner.

Claims 6-20 have been added.

Claims 1-5 have been amended.

Twenty claims remain pending in the application.

Reconsideration of claims 1-5 in view of the amendments above and remarks below and consideration of new claims 6-20 is respectfully requested.

By way of this amendment, Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned at (602) 262-5355 so that such issues may be resolved as expeditiously as possible.

Specification

1. The specification is objected to for various informalities. Amended paragraphs of the specification are provided above and were amended for the following reasons:

Paragraph [0001] was amended to include a reference to the issued parent application.

Paragraphs [0007], [00019], [0035], [0043], [0055], [0056], [0060], and [0061] were amended for clarity and to address certain formality issues raised by the examiner.

Paragraph [0024] was amended to clarify a reference to FIG. 1. Although no new matter was added, the Applicant believes that the provisional patent application that had been incorporated by reference provides appropriate support for this modification. An excerpt from the referenced provisional application is attached as Addendum A. Paragraph [0039] was amended to clarify a reference to a drawing element.

In view of the amendments to the specification and these remarks, the Applicant believes that the Examiner's objections to the specification have been overcome and respectfully requests that the Examiner withdraw such objections.

Drawings

3. Formalities in the drawings are objected to for a variety of reasons. Five replacement sheets are furnished herewith to address the Examiner's objections and to provide improved readability. No new matter has been added.

FIG. 1 was re-rendered to improve readability and annotated consistent with the drawing provided for in the incorporated provisional application, an excerpt of which is attached as Addendum A.

FIG. 2a was shown in relationship to the interior walls of the mailbox 10, support for which is found in the specification at paragraph and in FIG. 1.

FIGS. 2b, 3, and 4 was re-rendered for enhanced readability.

FIG 5 has been re-rendered to improve readability and overcome objections raised by the Examiner.

Claim Rejections - 35 U.S.C. §112

4. Claim 3 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The subject matter of Claim 3 now appears in amended Claim 4, and this claim is amended to address the Examiner's objection by adding specificity to the period of time and its relation to the method. The Applicant, therefore, believes the Examiner's rejection has been overcome and respectfully requests withdrawal of the rejection under 35 U.S.C. § 112.

Claim Rejections - 35 U.S.C. §102

5. Claims 1, 3 and 4 stand rejected under 35 U.S.C. § 102(e), as being anticipated by U.S. Patent Application Publication No. 2004/0259188 (Rosenblatt et al.). The

Applicant respectfully traverses this rejection.

Rosenblatt discloses a gas permeable module that is sealed, and then the module is exposed to gas that penetrates the gas-permeable module to decontaminate the contents of the module. The Applicant's claims, however, are not anticipated by this approach. Rosenblatt does not disclose elements of the Applicant's amended claim 1 such as a first valve (Rosenblatt discloses no valve whatsoever, only allowing the module to be "purged" or allowed to "off-gas"); and withdrawing gas from the decontamination bag through an exit valve (Rosenblatt does not disclose any valve whatsoever); or, introducing the decontaminate through a second valve in the flexible bag into the interior of the flexible bag (again, Rosenblatt does not disclose any valve whatsoever) and a filter (Rosenblatt does not disclose a filter or any filter analysis).

By virtue of their dependence upon an allowable base claim, amended claims 2-5 are also in condition for allowance. New claims 6-20 are allowable at least for the above stated reasons.

Since Rosenblatt does not disclose all elements of the Applicant's claimed invention, a prima facie case of anticipation cannot be sustained. Therefore, the Applicant believes that the Examiner's rejection as to 35 U.S.C. § 102(e) has been overcome, and the Applicant respectfully requests withdrawal of this rejection.

Claim Rejections - 35 U.S.C. §103

6a. Claim 2 stands rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent Application Publication No. 2004/0259188 (Rosenblatt et al.), in view of U.S. Patent No. 6,524,846 (Robinson, Jr.). The Applicant respectfully traverses.

The Office Action states that Robinson, Jr. "teaches of an indicator that detects the presence of biological contaminants ... in the interior environment of containers ... for transporting and storing mail" (citations omitted). Further, the Office Action states that it would

have been obvious to one having ordinary skill in the art at the time the invention was made to equip the mailbags of Rosenblatt's invention with Robinson Jr.'s biological contaminant indicator in order to test the interior environment of mailbags for the presence of hazardous material. Respectfully, the Applicant points out that the above combination does not suggest, teach, or disclose the Applicant's claimed invention.

The Robinson, Jr. reference states, at the location cited in the Office Action, "The indicator compound must be in communication with the interior of the package or container but **must be read from the outside *without opening the package or container*** which further must provide an effective seal...." (Column 2, lines 40-45, emphasis added). The approach of Robinson, Jr. is entirely contrary to that taken in amended claims where gas is exhausted from the interior of the flexible bag to the exterior of the flexible bag through a first valve in the flexible bag; and a filter; and then the filter is analyzed to determine whether harmful microbes are present *within the filter*. Robinson, Jr. makes it clear that the package or container is sealed and not to be opened, but the amended claims establish that gas is withdrawn from the flexible bag as a recited step. Further, no filter element is recited by either combination of Robinson Jr. and Rosenblatt, but is an element recited in the Applicant's amended claims.

For the above stated reasons, a prima facie case of obviousness has not been made, and therefore the Applicant respectfully requests withdrawal of the rejection under 35 U.S.C. § 103(a).

New claims 6-20 are allowable at least for the above stated reasons. Given the foregoing, the rejections over the applied art is improper and should be withdrawn, and claims 1-20 should be allowed.

6b. Claims 1 and 3-5 stand rejected under 35 U.S.C. § 103(a), as being

unpatentable over U.S. Patent No. 3,620,265 (Strople et al.), in view of U.S. Patent No. 6,779,714 (Webb). The Applicant respectfully traverses.

The Office Action proposes that claims 1 and 3-5 are rendered obvious by a combination of the teachings of Strople et. al. and Webb. The Applicant respectfully points out that such combination does not make out a prima facie case of obviousness, as the combination does not teach the Applicant's invention as expressed in the amended claims.

The Strople reference teaches a method for sterilizing gas containers and discloses filter media that are located within sterilizer units (42 and 64). However, neither Strople nor Webb teaches or suggests that a filter is attached to an exit valve, as set forth in the Applicant's amended claims. Further, neither reference teach or suggest that the presence of a biohazard is determined to be deposited in a filter, as recited in the claimed invention. Further, Webb teaches away from the use of mail bags for decontamination, as Webb states that "letters can be contaminated ... as they come into contact with ... the postman's mail bag." Likewise, Webb opines that "[d]econtamination in post offices does not do much to guard against subsequent recontamination before final delivery to an *individual's* mail box." (Column 1, lines 16-23, emphasis added). Webb further describes a process where mail in an "individual's mailbox" is decontaminated in the box by UV, but neither a filter nor analysis of a filter is disclosed, and Webb does not disclose use of a decontaminant material.

For the above stated reasons, a prima facie case of obviousness has not been made, and therefore the Applicant respectfully requests withdrawal of the rejection under 35 U.S.C. § 103(a).

New claims 6-20 are allowable at least for the above stated reasons. In addition, neither Webb nor Strople teach or suggest a clamp or a pull cord as set forth in the amended and new claims. Given the foregoing, the rejections over the applied art is improper and should be withdrawn, and claims 1-20 should be allowed.

6c. Claim 2 stands rejected under 35 U.S.C. § 103(a), as being unpatentable

over U.S. Patent No. 3,620,265 (Strople et al.), in view of U.S. Patent No. 6,779,714 (Webb), and further in view of U.S. Patent No. 6,524,846 (Robinson, Jr.).

The Applicant reasserts arguments raised above in relation to sections 6a, and 6b. More specifically, the combination of Robinson, Strople, and Webb does not teach or suggest the Applicant's claims. For example, in one reference, Robinson states that "[t]he indicator compound must be in communication with the interior of the package or container but **must be read from the outside *without opening the package or container*** which further must provide an effective seal..." (Column 2, lines 40-45, emphasis added). The approach of Strople, Robinson, and Webb, alone or in combination teaches away from the approach of amended claims, where a quantity of gas is exhausted from the bag through the exit valve and through a filter, and then the filter is analyzed to determine whether biohazards are present *within the filter*.

Further, Strople does not teach analysis of a filter, and does not recite a filter attached to an exit valve.

Regarding the Examiner's statement in paragraph 22, the Applicants would like to point out the Webb's biologically safe mail box does nothing to protect postal workers, as it opines that mail is contaminated as it is handled by the postal workers and mail handling process. The intent of Webb is to decontaminate contaminated mail that had been delivered by postal employees, not protect the employees from contamination. Respectfully, the statements regarding safety and well being of postal workers, while admirable, necessarily imply a construction from impermissible hindsight.

For the above stated reasons, a prima facie case of obviousness has not been made, and therefore the Applicant respectfully requests withdrawal of the rejection under 35 U.S.C. § 103(a).

New claims 6-20 are allowable at least for the above stated reasons. Given the foregoing, the rejections over the applied art is improper and should be withdrawn, and claims 1-20 should be allowed.

CONCLUSION

The Applicant respectfully submits that, as to the claims now pending, neither a prima facie case of anticipation or obviousness has been made out, or in the alternative, the pending claims avoid the rejections. In view of the above remarks and amendments to the drawings and specification, the Applicant further submits that the Examiner's objections and rejections have been overcome. As such, the Applicants respectfully maintain that the present application is in condition for allowance. Reconsideration of the rejections is requested. Allowance of all pending claims at an early date is solicited.

In the event that the Examiner finds any remaining impediment to a prompt allowance of this application which could be clarified by a telephonic interview, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

Respectfully submitted,



Dated: February 7, 2006

Lucius L. Lockwood
Reg. No. 53,231
Attorney for Applicant
(602) 262-5355

Address all correspondence to:
LEWIS AND ROCA LLP
Phoenix Office
40 North Central Avenue
Phoenix, Arizona 85004-4429

Direct telephone inquiries to:
Lucius L. Lockwood
(602) 262-5355

Page 21 of 23
Application. No. 10/796,431
Amendment A

ATTACHMENT: Addendum A

FIELD OF THE INVENTION

The present invention relates to a United States Postal Service (USPS) mail collection box and a method of collecting mail in a manner where the USPS, prior to sanitizing, and further processing contains the mail immediately at collection. More specifically the invention describes a mail collection box containing a receptacle, which would be fastened and secured to hold the contents. It also describes a method of collecting mail, before sanitizing and further processing to make handling safe.

BACKGROUND OF THE INVENTION

Recent incidences of Anthrax exposure to recipients of mail and mail handlers has necessitated changes in USPS mail collection boxes. Containment of the contents in a receptacle is required to avoid contact with the mail carrier and minimize agitation of possible biological spores. The receptacles can then be disinfected and mail can be handled safely. Various approaches have been envisioned to position the receptacle inside the mail collection box and fasten the receptacle to seal or prevent the contents from contacting humans. The processing of mail in this manner makes it extremely safe and renders it harmless and microbe free.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

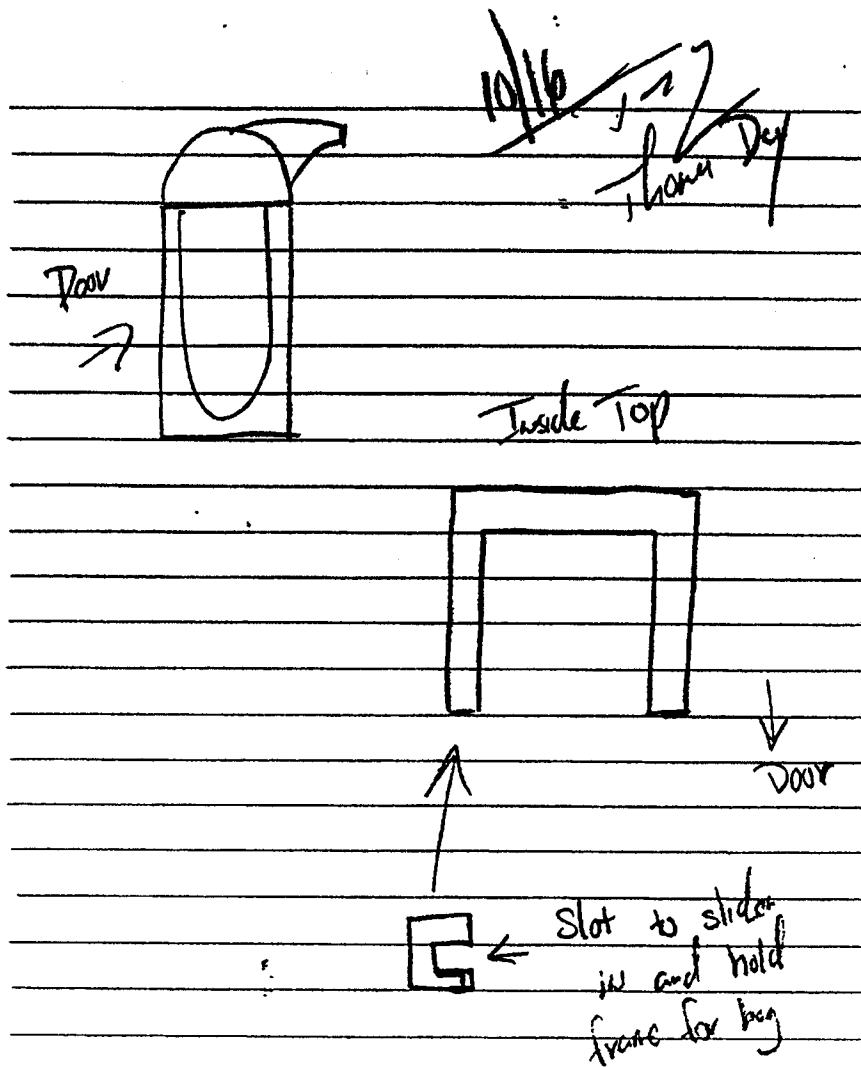
The receptacle envisioned is an impermeable bag made out of flexible plastic, which could be PVC, polyethylene or polypropylene material. In one such embodiment the bag is equipped with velcro type material along the periphery of the bag and is held in the mailbox by mating velcro material along the inside of the mail box. A drawstring runs through the bag opening. The drawstring end loop passes through a hole in the mail collection box access door and is secured to an outside lock.

At collection, the mail carrier unlocks the mail collection box access door and pulls the drawstring tight, sealing the bag. The access door can then be opened and the mailbag removed with the mail sealed inside the bag. The procedure could be further automated. When the mail handler opens the access door of the mail collection box the drawstring is pulled and automatically seals the bag in a single motion.

In another embodiment the lips of the bags could be spring loaded so that upon unlocking of the access door the bag snaps shut.

In yet another embodiment the bag is equipped with a zipper like arrangement and the bag could be sealed in "zip lock" fashion without stirring the contents of the bag.

USPS Form 1000



- Hang bag from cardboard frame that slides into metal slots that seal to the top of the door
- Camera opens door, pinches off ^{perforated bag} top of bag

60330889.110201